

CHAPTER 1104**WORKERS' COMPENSATION BENEFITS***H.F. 2456*

AN ACT relating to workers' compensation benefits for persons receiving employment training or employment evaluations.

Be It Enacted by the General Assembly of the State of Iowa:

Section 1. **NEW SECTION. 85.60 INJURIES WHILE IN EMPLOYMENT TRAINING OR EVALUATION.**

A person receiving earnings while engaged in employment training or while undergoing an employment evaluation under the direction of a rehabilitation facility approved for purchase-of-service contracts or for referrals by the department of human services or the department of public instruction, who sustains an injury arising out of and in the course of the employment training or employment evaluation is entitled to benefits as provided in this chapter, chapter 85A, chapter 85B, and chapter 86. Notwithstanding the minimum benefit provisions of this chapter, such a person entitled to benefits under this chapter is entitled to receive a minimum weekly benefit amount for a permanent partial disability under section 85.34, subsection 2, or for a permanent total disability under section 85.34, subsection 3, equal to the weekly benefit amount of a person whose gross weekly earnings are thirty-five percent of the statewide average weekly wage computed pursuant to section 96.3 and in effect at the time of the injury.

Sec. 2. Section 85.61, subsection 1, Code Supplement 1985, is amended to read as follows:

1. "Employer" includes and applies to any a person, firm, association, or corporation, state, county, municipal corporation, school corporation, area education agency, township as an employer of volunteer fire fighters only, benefited fire district, and the legal representatives of a deceased employer. Employer includes and applies to a rehabilitation facility approved for purchase-of-service contracts or for referrals by the department of human services or the department of public instruction.

Sec. 3. Section 85.61, subsection 2, unnumbered paragraph 2, Code Supplement 1985, is amended to read as follows:

"Worker" or "employee" includes an inmate as defined in section 85.59 and a person described in section 85.60.

Approved April 18, 1986

CHAPTER 1105**CHILDREN IN CRIMINAL OFFENSES***H.F. 2239*

AN ACT relating to criminal offenses committed against or with children and to court testimony by children.

Be It Enacted by the General Assembly of the State of Iowa:

Section 1. Section 726.2, Code 1985, is amended to read as follows:

726.2 INCEST.

A person, except a child as defined in section 702.5, who has sexual intercourse performs a sex act with another whom the person knows to be related to the person, either legitimately or illegitimately, as an ancestor, descendant, brother or sister of the whole or half blood, aunt, uncle, niece, or nephew, commits incest. Incest is a class "D" felony.

Sec. 2. Section 910A.3, Code Supplement 1985, is amended by adding the following new subsection:

NEW SUBSECTION. 4. A court may, upon its own motion or upon the motion of a party, order the court testimony of a child to be limited in duration in accordance with the developmental maturity of the child. The court may consider or hear expert testimony in order to determine the appropriate limitation on the duration of a child's testimony. However, the court shall, upon motion, limit the duration of a child's uninterrupted testimony to one hour, at which time the court shall allow the child to rest before continuing to testify.

Approved April 17, 1986

CHAPTER 1106
WAIVER OF JURY TRIAL
S.F. 444

AN ACT relating to the time in which a defendant may waive the defendant's right to a jury trial.

Be It Enacted by the General Assembly of the State of Iowa:

Section 1. Rule of criminal procedure 16, section 1, Iowa court rules, second edition, is amended to read as follows:

1. **TRIAL BY JURY.** Cases required to be tried by jury shall be so tried unless the defendant voluntarily and intelligently waives a jury trial in writing and on the record within thirty days after arraignment, or if no waiver is made within thirty days after arraignment the defendant may waive within ten days after the completion of discovery, but not later than ten days prior to the date set for trial, as provided in these rules for good cause shown, and after such time times only with the consent of the prosecuting attorney. The defendant may not withdraw a voluntary and knowing waiver of trial by jury as a matter of right, but the court, in its discretion, may permit withdrawal of the waiver prior to the commencement of the trial.

Approved April 22, 1986

CHAPTER 1107
ASSESSMENT ROLLS AND INFORMATION
S.F. 178

AN ACT relating to the handling and preservation of assessment rolls and assessment information.

Be It Enacted by the General Assembly of the State of Iowa:

Section 1. Section 441.26, unnumbered paragraph 4, Code 1985, is amended to read as follows:

~~Such~~ The assessment rolls shall be used in listing the property and showing the values affixed to ~~such~~ the property of all persons, partnerships, corporations, or associations assessed, ~~which~~. The rolls shall be made in duplicate. ~~Said~~ The duplicate roll shall be signed by the assessor, detached from the original and delivered to the person assessed if there has been an increase or decrease in the valuation of the property, or upon the written request of the person assessed. If there has been no change in the evaluation, the information on the roll may be